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UNCLAS SECTION 01 OF 06 USOSCE 000106

SENSITIVE
SIPDIS

STATE FOR VCI/CCA, VCI/NRRC, EUR/RPM, EUR/PRA, SCA/CEN,
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JCS FOR J5
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NSC FOR DOWLEY
USUN FOR LEGAL, POL
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TAGS: [PARM](#) [PREL](#) [OSCE](#) [KCFE](#) [RS](#) [XG](#)

SUBJECT: FSC APRIL 16: U.S. REPLIES TO RUSSIA ON DEFENSE
COOPERATION WITH KOSOVO

REF: A. STATE 31035

[B](#). STATE 39670

[C](#). STATE 39501

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[1](#). (SBU) Summary: The U.S. responded in the Forum for Security Cooperation on April 16 to Russia's attacks a week earlier on the President's decision that Kosovo was eligible for defense cooperation. The U.S. reminded delegations that the arms embargo against Yugoslavia had been lifted by UN decision and that any defense cooperation to Kosovo would be in line with the Ahtisaari plan. Russia reserved comment, but noted again its position that the Ahtisaari plan had no legal significance. The FSC adopted the Russian proposal to take national holidays into account when planning verification activities. The decision reflects compromise language agreed to by the U.S. and other delegations.

[2](#). (SBU) The U.S. joined with other delegations in supporting the Finnish draft decision on updating OSCE MANPADS principles in light of the 2007 Wassenaar Arrangement amendments. The draft decision will be considered by the plenary on April 23. Germany called for comment on its draft decision to meliorate the Vienna Document 1999 inspection and evaluation "quota race." Germany also dusted off its proposal from 2007 to amend the OSCE reporting categories on conventional weapons transfers to accord with the UN Registry and to require participating States, "when in a position to do so," to submit details of arms transfers to other pS. The Security Dialogue featured presentations on the Baltic Mine Countermeasures Squadron and the Azerbaijan National Agency for Mine Action. End summary

U.S. Defense Cooperation with Kosovo

13. (SBU) The U.S. (Neighbour) intervened at length in response to a Russian attack on the presidential finding that independent Kosovo was eligible for defense cooperation (FSC.JOUR/548 Annex). The U.S. pointed out the UN arms embargo against then Yugoslavia had been lifted and that, in line with the Ahtisaari plan, any U.S. assistance would support the creation of a civilian ministry of defense that would exercise strong control over small, lightly armed forces. Neighbour explained that Kosovo, as an independent country, would need well-trained professional military forces to contribute to its own and regional security and participate in humanitarian and other support to civil authorities missions.

14. (SBU) Russia (Ulyanov) reserved rebuttal, saying that the U.S. statement would be carefully examined in Moscow, but added as a preliminary comment that any position based on the Ahtisaari plan was "rather insubstantial," as the plan was not approved by the UN, not internationally recognized, and, as it had no legal status, could not be the source of guidance.

National Holidays Decision

15. (SBU) The FSC adopted the Russia-sponsored decision on taking national holidays into account when planning national verification activities (FSC.DEC/2/08). The text of the decision reflected compromise language negotiated by Russia, Romania, and the U.S (reftel A). The Estonian chairmanship

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has warned USDel that Russia intends to return soon to its other proposals to "improve the working of the Vienna Document," all of which were initially tabled in late 2007:

- on-the-spot verification reports, FSC.DEL/491/07;
- area of inspection, FSC.DEL/493/07/Rev.1;
- unitary defense planning deadline, FSC.DEL/494/07/Rev.2;
- notification of major military activities, FSC.DEL/495/07/Rev.2/Corr.1; and
- duration of evaluation visits, FSC.DEL/496/07/Rev./2.

Untimely Vienna Document Inspection Requests

16. (SBU) Perhaps foreshadowing further mischief, Ulyanov announced Russia's great concern over repeated non-compliance with the timing requirements under the Vienna Document for request for inspections and evaluations. Citing the relevant paragraphs from the Vienna Document (85 and 112), Ulyanov said it was not his intention to engage in a "name and shame" exercise, but participating States (pS) either should comply with these requirements or initiate a discussion over their revision. When Sweden (Nilsson), apologizing for any possible violations, and Germany (Schweizer) agreed with Ulyanov, he hastened to add that neither country was on his list of offenders.

17. (SBU) Finland also agreed with Ulyanov, but added that the untimely notification problem was linked to the Vienna Document "quota race," itself the subject of a German paper on the working group agenda. Ulyanov disagreed, noting Russia's view that the "quota race" problem, if it existed at all, applied to only a few pS: Russia, Georgia, Ukraine, and the U.S. While Germany (Schweizer) shared the Finnish view on the role of the quota race in early notifications, it suggested an additional proposal might be needed to address compliance with the notification requirements. Ulyanov announced that Russia will prepare a "technical" paper on the issue (FSC.DEL/75/08). (Note: Russia's complaint is that notifications are sent too early, not too late. Russia lost

two evaluations in 2007 to Belarus because Russia notified per paragraph 112 and Belarus had notified early. End note.)

The UK (Gare) told the U.S. on April 17 that it had researched this issue and found that Russia itself has been as bad a violator as any pS in recent years.

MANPADS Export Control Principles

¶18. (SBU) After a chorus of endorsements of Finland's "all in one document" approach to incorporating the 2007 Wassenaar Arrangement amendments to its MANPADS export control principles into the 2003 OSCE decision on the subject, the U.S. (Silberberg) announced it could join this approach provided the new decision was no more than a compilation of all the Wassenaar-derived principles (reftel B). Russia had earlier suggested revising a reference to Best Practice Guides in the prologue to clarify that they are not per se OSCE decisions, which was accepted without discussion in the working group (FSC.DD/5/08). The draft decision will be considered in the plenary on April 23.

Vienna Document Quota Race

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¶19. (SBU) Germany (Schweizer) solicited comments on its Food-for-Thought paper on meliorating the Vienna Document inspections "quota race" (FSC.DEL/51/08). He noted that the draft provision for carrying over unused quotas from one year to the next was controversial. Ukraine (Turan) generally supported the proposal, but noted it lacked a provision for the receiving pS when a request for an inspection in excess of the quota was made. Sweden (Nilsson) also expressed general support while acknowledging that it shared the concern over the calendar roll-over of inspection quota. Nilsson added that pS should also consider voluntary activities and multinational inspection teams.

¶110. (SBU) Russia (Geyandov) demurred that there was a quota race, noting that in 2007 only 21 pS exhausted their inspection quotas. He observed that only Russia, Ukraine, Georgia, and the U.S. routinely exhaust their quotas. The German proposal, he concluded, addresses a problem for only a small number of states. Schweizer replied the problem was not just the exhaustion of quotas but also the timing of inspections, most occurring in the first two months of the year, which did not enhance transparency. USDel will approach Germany and Allies to reinforce our earlier stated position that the German proposal is at least premature, if not unnecessary (reftel C).

Illicit Air Trafficking of SALW

¶111. (SBU) France (Fournier) introduced a draft decision, co-sponsored by Belgium, which proposes a questionnaire and Best Practice Guide on national norms controlling air transport of small arms and light weapons (SALW) (FSC.DEL/62/08). Responses to the questionnaire would be included in the SALW information exchange; the Best Practice Guide would form a separate chapter of the OSCE Handbook of Best Practices on SALW. Russia and Finland welcomed the proposal. Finland and Germany, despite Fournier's description of the proposal as a supplement to existing measures, proposed the information collected be used to develop new norms. Turkey reported the paper was under consideration in Ankara.

CAT Reporting Categories Proposal Redux

¶112. (SBU) Germany (Schweizer) has circulated a revised version (FSC.DEL/69/08) of its 2007 proposal (FSC.DEL/435/07) for updating the OSCE conventional arms transfers reporting

categories to accord with those used by the UN Register of Conventional Arms. The new version now qualifies the requirement in operative paragraph (OP) 4 that pS forward information to the UN Register on SALW transfers to or from other pS with the phrase, "pS will, if they are in a position to do so, forward the information" Despite the apparently voluntary nature of this exchange, Schweizer described it as "politically binding."

¶13. (SBU) Operative paragraph 5 encourages pS to provide information on SALW transfers with states outside the OSCE. Schweizer argued this provision, although already found in UN Decision 6177, was included in the draft decision for the sake of completeness and clarity. The entire proposal is meant, Schweizer explained, to represent an OSCE "red-line": the minimal commitment expected of pS.

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¶14. (SBU) Greece and the UK, a co-sponsor, expressed full support. Russia (Ulyanov), however, still retained its doubts about OP 3, which tasks the Conflict Prevention Center to update automatically the OSCE reporting categories whenever the UN amends its versions. Ulyanov noted that these changes could be substantive and would therefore need to be considered by the Forum before deciding to incorporate them. Further, he noted the UN Register is compiled by voluntary submissions, while the OSCE data is collected under a politically binding agreement.

¶15. (SBU) Turning to OP 4 and 5, Ulyanov asserted much of the information provided by pS on arms transfers is confidential. What mechanisms were available to ensure this confidentiality would be preserved after the information was given to the UN? Schweizer offered that the automatic update provision was meant to reflect a sense within the Forum that more time needed to be spent on norm-setting rather than procedural issues. As to confidential information, neither OP 4 nor 5 requires the submission of such information. The proposal will be discussed again in the working group on April 30.

SALW Points of Contact Network

¶16. (SBU) Although the U.S. had indicated, per guidance, its willingness to accept use of the term "network" in the Danish-drafted SALW Points of Contact draft decision (FSC.DEL/53/08, FSC.DD/2/08), Germany announced its own complaints at an informal discussion of the proposals on April 10. In particular, Germany asserted that the draft decision did not describe a "network" but merely a list. Denmark (Petersen) was visibly surprised by the German comments, but promised to circulate a revised version to try to reflect them (emailed to VCI/CCA April 18).

SALW Brokering Questionnaire

¶17. (SBU) Finland (Kangaste) asked if the CPC could issue a revision of its survey of responses (FSC.GAL/25/08) to the one-off SALW brokering information exchange (FSC.DEC/11/07) as several late responses had been submitted. Kangaste also recommended that the CPC survey be made available to the public. The CPC (Martyniuk) acknowledged that five more responses had been submitted since the survey had been issued. The CPC was prepared to revise the survey based on the late responses. The chair announced these issues would be discussed again in the working group on April 23.

Best Practice Guides

¶18. (SBU) Sweden announced it planned to distribute soon a revised version of its Best Practice Guide (BPG) on physical security of stockpiles of conventional ammunition (currently

FSC.DEL/56/08), to be followed by a draft decision on its endorsement.

¶19. (SBU) At the BPG Editorial Review Board on April 10, Germany (Schweizer) announced "last-minute" edits to the latest version of the Dutch BPG on destruction of conventional ammunition, under revision for almost a year.

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While the Netherlands (Geertsen) objected to the precipitate timing of the German submission and described much of it as superfluous, the two delegations agreed to work on a compromise draft of the destruction guide that would likely relegate most of the German proposals to an annex that would be published separately.

¶20. (SBU) The U.S. announced at the Editorial Review Board that EU comments on the U.S. draft UNSCR 1540 BPG chapter on export controls were being discussed by Washington and a revised version of the chapter would be distributed soon.

Code of Conduct Questionnaire

¶21. (SBU) Switzerland (von Arx), a co-sponsor of the proposed revision of the Code of Conduct Questionnaire (FSC.DEL/49/08), reported many delegations had submitted comments to the co-sponsors, which include France and Austria. Finland reported it had already provided comments to the drafters, which include a recommendation to focus on the core of the Code rather than "wide-ranging" matters that may duplicate other documents or programs. Finland would also like to see questions based on UNSCR 1325 on gender equality in security affairs. While Spain and Greece supported the proposal without qualifications, Turkey reported it had substantive concerns over numerous sections of the draft, which it will discuss with the co-sponsors. Estonia (Kaldas) reported it too would discuss its suggestions with the co-sponsors.

¶22. (SBU) Russia (Ulyanov) said the proposal was receiving careful analysis in Moscow by several agencies and departments, which will require considerable time. As a preliminary observation, Ulyanov said he had some doubt whether there was any need for the initiative. Work on the proposal will take considerable time. Does it, he asked, have any real benefit? Will it, at the end of the day, actually strengthen European security, or is it merely a paper chase? The Forum should concentrate only on the specifically military parts of the Code, not tangential matters like democratic control of the armed forces. Separately, a Russian representative (Geyvandov) asked USDel if it shared Russia's skepticism.

Code of Conduct Outreach to OSCE Partners

¶23. (SBU) The FSC Code coordinator (Eischer, Austria) reported an outreach meeting with OSCE Partners for Cooperation from the Mediterranean and Asia (FSC.DEC/1/08). Nine of the eleven Partners attended. Another meeting will be held in early June. The Partners are considering further discussion of the Code at their contact meetings and annual seminars and as part of the Annual Security Review Conference

FSC Contribution to ASRC

¶24. (SBU) The FSC chef de file for the 2008 Annual Security Review Conference (Kangaste, Finland) requested suggestions from delegations for political-military topics to be discussed at the ASRC be submitted to him by April 24. He noted that the list of suggestions (FSC.DEL/70/08) was not a

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consensus document. Germany warned it would want discussion of landmine issues. Several delegations noted concerns over the number of topics on the list given the time available. Azerbaijan injected that discussion of a nonconsensual document was a waste of time, although Slovakia was puzzled by reference to such a nonconsensual document in the draft decision on FSC contributions to the ASRC (FSC.DD/4/08). The chair, not receiving any objection, announced that the draft decision and its letter of transmission of the decision to the Permanent Council chair (FSC.DEL/68/08) will be considered at the FSC plenary on April 23.

Security Dialogue: Baltic and Azerbaijani Minesweepers

¶25. (SBU) The Security Dialogue featured presentations by the commanding officer of the Baltic Mine Countermeasures Squadron, Commander Andrei Leit, and the director of the Azerbaijan National Agency for Mine Action (ANAMA), Nazim Izmayilov. Leit, an Estonian, explained that command of the three or four ship squadron rotated among the three Baltic states who contribute the vessels and personnel. He noted the squadron's close cooperation with the German and Swedish navies, and hoped it could build relations with other navies in the region. He said mines from World War II, laid in the tens of thousands by Germany, Finland, and the Soviet Union, are still being found, particularly in waters off Estonia in the Gulf of Finland.

¶26. (SBU) Izmayilova described the ongoing mine action work of his agency, which includes humanitarian demining, mine risk education, and mine victim assistance, and removal of unexploded ordnance. Many of the mines were laid during the conflict between Armenia and Azerbaijan over Nagorno-Karabakh, and most of the work ANAMA is in the areas involved in the conflict. Unexploded ordnance removal has been focused on areas formerly used by Soviet forces for munitions storage, notable Saloglu in the northwest of Azerbaijan. ANAMA receives bilateral assistance from the U.S. and several other pS, NATO, the UN, and various NGOs, including the UK-based HALO Trust.

¶27. (SBU) Izmayilova traded barbed comments with Russia (Uskov) over blame for the explosion of munitions depots in Saloglu in the wake of the withdrawal of Soviet forces in 1991, Uskov asserting ignorant and illiterate local residents were at fault, suggesting it could have all been the fault of a careless smoker. Izmayilova responded that the Soviet forces deliberately exploded the munitions to prevent Azerbaijan from getting them. The Armenian ambassador (Tabibian), not a regular participant at the FSC, congratulated Azerbaijan on its efforts but regretted that there was not much active cooperation between the two states. He predicted that only after the "underlying conflict" was resolved would the landmine threat be fully eliminated.

Next Meeting

¶28. (U) The FSC will next meet on April 23.
FINLEY